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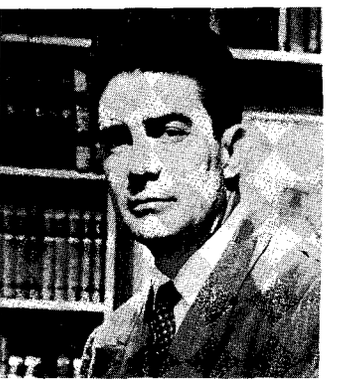

DAN SMOOT

ERIC AND JACK

by Mabeth E. Smoot and Sue Fitch

It is perhaps time to present a dry-eyed critique on Jack Ruby and his tearful sympathizers.

Jack Ruby, nee Jack Rubenstein, murderer of communist Lee Harvey Oswald, died in Dallas January 3, 1967.

Moved to Parkland Hospital from the Dallas County Jail on December 9, 1966, Ruby was found to be suffering from rapidly-spreading cancer — obviously a terminal case; but the immediate cause of death was a blood clot, behind the right knee, which broke loose and moved into a lung, blocking vital passages.

Ruby was buried January 6, in Chicago. An American flag covered his casket. He was eulogized by Rabbi David Graubart as a "misguided patriot" who was "not an evil man."

The Rabbi's eulogy was an anticlimax. On the CBS network, Eric Sevareid, television's High Priest, had already delivered a benediction — to wit:

"A few weeks ago the pathetic, lost, little creature named Jack Ruby was acting strangely in his Dallas jail cell. He's hamming it up, said the jailers. He began to breathe heavily. A bad cold said the jail doctors.

"Then he seemed really sick. Pneumonia said the doctor. Today Ruby died of cancer. With rigorous, unbroken consistency Dallas officialdom fumbled to the end.

"Consider the record, moving backwards in time:

"The other day Ruby's brother smuggled a tape recorder into his hospital room right under the eyes of the policeman on constant duty. A few months ago, a higher court threw out the murder with malice aforethought verdict on Ruby because his Dallas trial had been conducted so sloppily under such prejudicial conditions.

"During that trial the courthouse was thrown into panic when several prisoners in the cells upstairs broke out, one of them using a pistol-like object made of soap. On the day Ruby killed Oswald, he was allowed to mix freely with the police and reporters in the City Hall basement. What was familiar was OK. The police had tipped off reporters and cameramen as to the time and place of moving Oswald to jail.

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"There's a first name camaraderie among Dallas authorities and all who hang about them. Jack Ruby, night joint proprietor, a quarrelsome, emotionally unstable person, carried a pistol by right of a police permit to carry it.

"Go back further. A few minutes after President Kennedy was killed, the policeman who ran into the book depository building saw Lee Harvey Oswald in the refectory. He's OK, he works here, said the man in charge.

"The man who was police chief when Oswald was killed has continued in office for a long time. So did the man who was sheriff when the absurd jail break occurred.

"So did the judge who presided over the tragi-comic trial . . . . All are nice men; all are well liked in Dallas. And this it seemed to me, at the time, is the heart of the trouble. Dallas is at the adolescent, awkward age. It grew up too quickly. It is a metropolis in body but not yet in spirit. Government remains a personal thing as in a small time courthouse. With size and sophistication go formality, impersonality, severe rules and standards. But Dallas officialdom hates to part with its breezy, informal family, nick-naming spirit.

"At the awkward age, very awkward things happen . . . ."

We first-naming Dallas conservatives would not expect Eric the Liberal to be accurate in his reporting about Dallas; but, in a spirit of neighborliness, we want to give Eric some facts to supplement his lamentations.

Jack Ruby did not have a police permit to carry a gun. Like many hoodlums in many other places, Ruby carried a gun without sanction of law. He was not "allowed to mix freely with the police and reporters in the City Hall basement" on the day he killed Oswald. He sneaked in four minutes before the shooting, taking advantage of the turmoil created by an unruly mob of out-of-state reporters and national tv commentators, who insisted on their right to be present.

Police Chief Jesse Curry, a man of honor and integrity, resigned some time ago because of poor health. Bill Decker, one of the finest law enforcement officers in the world, is still our Sheriff.

The verdict against Ruby was not reversed because his trial was "tragi-comic" and "sloppily conducted" — although the conduct of defense counsel, Melvin Belli, was a discredit to his profession.

During the trial, the Dallas County District Attorney, to prove malice aforethought, introduced testimony by a police officer to whom Ruby had blurted out that he had thought about killing Oswald Friday night (November 22, the day Oswald was arrested). The officer testified that this confession was made within ten minutes after Ruby shot Oswald (Sunday, November 24). The defense contended that Ruby's confession to the police officer occurred 30 minutes after the shooting — and that this lapse of time made the confession inadmissible under Texas law.

In later statements and in a polygraph test given by the FBI (on Ruby's request and on the recommendation of Earl Warren), Ruby said he had mentioned killing Oswald Sunday morning — which certainly strengthens the District Attorney's contention that Ruby's crime was calculated.

The Texas Court of Criminal Appeals (no doubt feeling the moist eyes of Earl Warren and cohorts looking on, warning that hoodlums and murderers must be treated with tenderness) held that the police officer's testimony proving malice should not have been admitted.

The Court also held that Ruby should have been given a change of venue, because of public feeling in Dallas. Inasmuch as the entire nation had witnessed Ruby's crime via television, and the whole world had been saturated with leftist-communist propaganda about the guilt of Dallas, where could the Ruby trial have been held in the absence of public feeling? The honorable Court did not say, and neither did Eric.

"Dallas officialdom fumbled to the end."

This is Eric's way of blaming Dallas officials for causing the death of Jack Ruby, by neglect. The truth?

Sheriff Decker saw to it that Jack Ruby was given preferred treatment in the County Jail.

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On December 13, 1963, District Attorney Henry Wade took the precaution of writing the jail physician, urging him to check on Ruby's health more frequently than checks are made on other prisoners: Ruby was not only a very important prisoner, but was older than the average prisoner.

In May, 1964, Dr. Julian MarDock (then jail physician) ordered X ray and other medical tests to be given Ruby, solely as a precautionary measure to protect his health. The tests were negative, showing no sign of cancer or any other disease.

Dr. MarDock (who resigned as jail physician in October, 1965) and Dr. John Callahan (who has been jail physician since then), visited Ruby at least twice every week, to inquire about his health and make symptomatic examinations. Dr. J. M. Pickard, Dallas County Health Director, made frequent calls on Ruby. These doctors heard no complaints, from Ruby or anyone else, about Ruby's health. They heard nothing about the vomiting spells which Ruby's relatives later alleged he had had in jail.

On December 9, when Dr. Pickard heard that Ruby was ill, he visited Ruby in jail and immediately ordered him removed to Parkland Hospital. Even Ruby's family and lawyer had unstinting praise for the care Ruby received at Parkland.

Eminent specialists know of many persons who, competently examined and pronounced well, died six weeks later of the kind of cancer that Ruby had. Medical authorities agree that Ruby could not have had cancer in 1963, as alleged by Walter Winchell.

"Moving backwards in time," as Sevareid says, let's look at this man he mourns, not as misty-eyed liberals see him, but as he was.

Dallas did not spawn him. Jack Ruby was a Chicago-bred petty hoodlum. Born in 1911, he was an incorrigible at an early age, a school dropout after the eighth grade. He hustled the suckers, brawled in the streets, pushed punch boards, and reportedly helped "shake down" couples in parked cars. He would do anything for a "fast buck," but never cared for "no steady job."

In the late 1930's, Ruby became an organizer, then secretary, for the Waste Material Handlers Union in Chicago. When the attorney of that union was murdered, Ruby was questioned and released, but soon thereafter resigned as secretary.

He was succeeded by Paul "Red" Dorfman, "a major figure in the Chicago underworld," who called Jack Ruby a "real nice guy." Other "syndicate" friends of Ruby were Needlenose Labriola and Jimmy Weinberg, who tried unsuccessfully to organize the rackets in Dallas in the early 1940's.

After requesting deferment (because his mother needed him at home), Ruby was inducted in 1943, and served 3 years with the Army Air Force. He never saw combat duty but did qualify as a sharpshooter with the M-1 carbine.

Ruby came to Dallas in 1947 to help his sister, Eva Grant, manage a night club. His first contact here was Paul Roland Jones, an underworld character whom Ruby had met through the "syndicate" in Chicago. Jones later served a prison sentence for trying to bribe a Dallas sheriff and for smuggling narcotics.

Jack Ruby cheated and often physically abused entertainers who worked in his shabby "clip joints." To avoid paying union wages to "strippers," he staged "amateur stripper" contests, until the entertainment union stopped him. He cursed those who worked for him in vile and filthy language, and delighted in beating up men who were easy to handle. But he fawned on everyone he thought had "class," and tried to ingratiate himself on policemen and others in authority.

He borrowed thousands of dollars which he never repaid. Before he was jailed for murdering Oswald in 1963, he was negotiating with Internal Revenue Service for settlement of a tax debt of $44,413.86 — more than $40,000 of which was excise tax that Ruby had collected from customers but had not turned over to the government.

There are official reports from informants who connected Ruby with prostitution and narcotics.

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He made obscene and perverted telephone calls to women.

Two staff members of the Warren Commission who investigated Ruby's background reported, in part:

"Ruby operated his business on a cash basis, keeping no record whatsoever – a strong indication that Ruby himself was involved in illicit operations of some sort . . . .

"When it suited his own purpose, he did not hesitate to call on underworld characters for assistance . . . .

"It is possible that Ruby could have been utilized by a politically motivated group either upon the promise of money or because of the influential character of the individual approaching Ruby. If he is a sex-deviate, blackmail is also possible."

There are many reports that Ruby was a sex-deviate.

Much has been said about Ruby's "deep grief" over the President's death — which he referred to as "this case" a few hours after the assassination. Though he was downtown, within sight of the spot where the President was killed, he displayed no interest in seeing the presidential parade.

When asked that night what effect he thought the assassination would have on Dallas, Ruby said it "would hurt business and that Dallas would get no more conventions." He told acquaintances that he thought he would have to get out of town and "go back north."

Ruby closed his own "clubs" as a gesture of mourning for the slain President, after learning that respectable businesses (with "class") were closing. Later in the evening, he was furious to discover that his competitors (Abe and Barney Weinstein) had not closed. One friend said he did not know whether Ruby was upset over Oswald or the Weinsteins.

At 4:30 Saturday morning, Ruby visited the *Dallas Times Herald* composing room and gave a gyrating performance on a "twistboard," a reducing contraption that he was trying to peddle. This was Ruby's last known effort to make a "fast buck." The next day, Sunday, November 24, 1963, he shot and silenced Lee Harvey Oswald, the communist who had murdered President Kennedy.

This, then, was the real Jack Ruby — that "pathetic, lost, little creature."

Eric Sevareid once said of himself: "I am mush, full of a lot of almost bathetic sentimentality."

That may account for his bathos about Jack Ruby, but we don't think so. We believe that Sevareid, a spokesman for the liberal establishment, seized upon Ruby's death as an opportunity to revive the infamous lie that *Dallas* and not a *communist* was responsible for the assassination.

Whether Sevareid got his sense of values while organizing and running the leftist Jacobin Club at the University of Minnesota; while attending that spawning ground of fabian socialists, the London School of Economics; or while spending time with Tito's communist partisans in Yugoslavia during World War II — we cannot say.

We cannot say whether his judgment on Dallas for its "treatment" of Jack Ruby will help us outgrow what he calls our "awkward age."

We can say this: if Dallas must adopt Sevareid's standards before the jaded eyes of the eastern establishment can behold us with approval, may God forbid that we ever have that approval. May God keep us from the sophistication of big eastern cities where women are raped in public while able-bodied men turn away, not wanting to be involved; where savage race riots occur in an atmosphere of "formality, impersonality, severe rules."

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